Liza M. Walsh Marc D. Haefner Christopher J. Borchert CONNELL FOLEY LLP One Newark Center 1085 Raymond Boulevard, 19th Floor Newark, NJ 07102 Phone: (973) 757-1100

Peter D. Vogl Lisa T. Simpson Mary Beth Myles ORRICK, HERRINGTON & SUTCLIFFE LLP 51 West 52nd Street New York, New York 10019-6142 (212) 506-5000

v.

Defendant.

Attorneys for Plaintiff KARS 4 KIDS INC.

AMERICA CAN!,

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

KARS 4 KIDS INC., : Civil Action No. 14-7770 (PGS/LHG)

Plaintiff, : **NOTICE OF MOTION TO ENFORCE**

THE SETTLEMENT AGREEMENT OR, IN THE ALTERNATIVE, TO

: REOPEN THIS MATTER

: Oral Argument Requested

: Filed Electronically

PLEASE TAKE NOTICE that, on January 19, 2016, or as soon as the Court deems appropriate, Plaintiff KARS 4 KIDS Inc. ("K4K") shall move pursuant to the Court's July 30, 2015 Order at DE No. 42 and Local Civil Rule 41.1(b) before the Honorable Peter G. Sheridan, U.S.D.J., at the United States District Court for the District of New Jersey, 402 East State Street, Trenton, New Jersey, for the entry of an Order enforcing the parties' settlement

agreement or, in the alternative, to reopen this matter to be litigated on the merits.

PLEASE TAKE FURTHER NOTICE that in support of this motion, K4K will rely upon its Memorandum in support of the Motion, the Declaration of Peter D. Vogl with exhibits annexed thereto, and any reply submissions made hereafter.

PLEASE TAKE FURTHER NOTICE that K4K respectfully requests oral argument on this motion.

PLEASE TAKE FURTHER NOTICE that a proposed Order is also submitted herewith.

CONNELL FOLEY LLP

Dated: December 23, 2015

<u>s/ Liza M. Walsh</u>

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